

**HUMAN SERVICES DEPARTMENT[441]**

**Adopted and Filed**

Pursuant to the authority of Iowa Code section 249A.4, the Department of Human Services amends Chapter 79, "Other Policies Relating to Providers of Medical and Remedial Care," Iowa Administrative Code.

These amendments increase reimbursement rates for home- and community-based services (HCBS) to reflect the appropriation of \$1.5 million for state fiscal year 2012 for this purpose. These amendments essentially restore the reductions in the waiver reimbursement limits that were implemented in December 2009 as a result of Executive Order 19. At that time, rate maximums were reduced by 2.5 percent for most waiver services. Maximums for home health aide, nursing, and interim medical monitoring and treatment performed by a home health agency were reduced by 5 percent.

These amendments were Adopted and Filed Emergency and were published in the Iowa Administrative Bulletin on September 7, 2011, as **ARC 9706B**. Notice of Intended Action to solicit comment on these amendments was published as **ARC 9707B** on the same date. The Department received no comments on the Notice of Intended Action. These amendments are identical to those published under Notice of Intended Action and Adopted and Filed Emergency.

The Council on Human Services adopted these amendments on December 14, 2011.

These amendments do not provide for waivers in specified situations because the changes are a benefit to the providers affected. Requests for the waiver of any rule may be submitted under the Department's general rule on exceptions at 441—1.8(17A,217).

After analysis and review of this rule making, no impact on jobs has been found.

These amendments shall become effective on February 15, 2012, at which time the Adopted and Filed Emergency amendments are rescinded.

These amendments are intended to implement Iowa Code section 249A.4 and 2011 Iowa Acts, House File 649, section 28, subsection 1(q).

EDITOR'S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these amendments [79.1(1), 79.1(2), 79.1(15)] is being omitted. These amendments are identical to those published under Notice as **ARC 9707B** and Adopted and Filed Emergency as **ARC 9706B**, IAB 9/7/11.

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